

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1650 Session of 2023

INTRODUCED BY GREGORY, HOHENSTEIN, BERNSTINE, DIAMOND, ECKER, FLICK, GALLAGHER, GUENST, HANBIDGE, HOWARD, KAUFFMAN, KAZEEM, KUZMA, E. NELSON, SANCHEZ, WAXMAN, MADDEN, MERCURI, HEFFLEY, KRAJEWSKI, KHAN, GREEN, OTTEN AND GIRAL, AUGUST 15, 2023

AS REPORTED FROM COMMITTEE ON HUMAN SERVICES, HOUSE OF REPRESENTATIVES, AS AMENDED, NOVEMBER 13, 2023

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, providing for substance abuse USE <--
3 treatment and recovery support and for powers and duties of
4 the Department of Drug and Alcohol Programs; and establishing
5 the Lifetime Recovery from Substance Abuse USE Grant Program. <--

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Title 35 of the Pennsylvania Consolidated
9 Statutes is amended by adding a chapter to read:

CHAPTER 52C

11 SUBSTANCE ABUSE USE TREATMENT AND RECOVERY SUPPORT <--

12 Subchapter

13 A. Preliminary Provisions

14 B. (Reserved)

15 C. Support for Lifetime Recovery from Substance Abuse USE <--

16 Grant Program

17 SUBCHAPTER A

18 PRELIMINARY PROVISIONS

1 Sec.

2 52C01. (Reserved).

3 52C02. Scope of chapter.

4 52C03. Definitions.

5 § 52C01. (Reserved).

6 § 52C02. Scope of chapter.

7 This chapter relates to substance ~~abuse~~ USE and misuse <--
8 treatment and support services.

9 § 52C03. Definitions.

10 The following words and phrases when used in this chapter
11 shall have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Alcohol." The term includes "malt or brewed beverages" and
14 "liquor" as defined in section 102 of the act of April 12, 1951
15 (P.L.90, No.21), known as the Liquor Code.

16 "Applicant."

17 (1) Any of the following:

18 (i) A recovery support provider.

19 (ii) A person that provides support and technical
20 assistance to a recovery support provider.

21 (2) The term does not include an individual or a for-
22 profit entity.

23 "Controlled substance." As defined in section 2 of the act
24 of April 14, 1972 (P.L.233, No.64), known as The Controlled
25 Substance, Drug, Device and Cosmetic Act.

26 "Department." The Department of Drug and Alcohol Programs of
27 the Commonwealth.

28 "Peer recovery specialist." An individual who has received
29 certification from a certifying entity under section 52C44(a)(4)
30 (relating to application and review) as having received training

1 sufficient to provide peer recovery services.

2 "Program." The Lifetime Recovery from Substance Abuse USE <--
3 Grant Program established under section 52C43 (relating to
4 Lifetime Recovery from Substance Abuse USE Grant Program). <--

5 "Recipient." An applicant that receives a grant under this
6 chapter.

7 "Recovery from substance abuse USE." The process of change <--
8 through which an individual who had been engaging in substance
9 abuse USE takes steps to improve the individual's health and <--
10 wellness, leads a self-directed life and strives to reach the
11 individual's own potential.

12 "Recovery support providers." Any of the following that
13 provide recovery support services to individuals, families and
14 communities in this Commonwealth:

15 (1) A nonprofit organization.

16 (2) A hospital or other health care provider.

17 (3) A municipality.

18 (4) A single county authority created under the act of
19 April 14, 1972 (P.L.221, No.63), known as the Pennsylvania
20 Drug and Alcohol Abuse Control Act.

21 (5) A recovery house licensed under Subarticle (b) of
22 Article XXIII-A of the act of April 9, 1929 (P.L.177,
23 No.175), known as The Administrative Code of 1929.

24 "Recovery support services." Any of the following services
25 relating to an individual in recovery from substance abuse USE: <--

26 (1) Providing a network of peer support provided by peer
27 recovery specialists for an individual in recovery from
28 substance abuse USE, including advocacy for individuals in <--
29 recovery from substance abuse USE. <--

30 (2) Providing and supporting a network of family support

1 or community support for families and communities of those in
2 recovery from substance ~~abuse~~ USE. <--

3 (3) Providing crisis intervention referrals for
4 individuals in recovery from substance ~~abuse~~ USE. <--

5 (4) Assisting an individual in recovery from substance
6 ~~abuse~~ USE in gaining stable living arrangements, including <--
7 assisting the individual in identifying appropriate living
8 arrangements and preparing necessary paperwork.

9 (5) Assisting an individual in recovery from substance
10 ~~abuse~~ USE in obtaining gainful employment, including <--
11 providing a skill evaluation and assisting the individual in
12 identifying employment opportunities.

13 (6) Creating and maintaining the technical assistance
14 needs of workplaces that provide support for employees in
15 recovery from substance ~~abuse~~ USE. <--

16 (7) Providing mentoring service to an individual in
17 recovery from substance ~~abuse~~ USE. <--

18 (8) Providing referrals, assistance or consultation for
19 individuals in recovery from substance ~~abuse~~ USE in obtaining <--
20 services under paragraphs (1), (2), (3), (4), (5), (6) and
21 (7).

22 "Substance ~~abuse~~ USE." The ~~abuse~~ USE or misuse of a <--
23 controlled substance or alcohol.

24 SUBCHAPTER B

25 (Reserved)

26 SUBCHAPTER C

27 SUPPORT FOR LIFETIME RECOVERY FROM

28 SUBSTANCE ~~ABUSE~~ USE GRANT PROGRAM <--

29 Sec.

30 52C41. (Reserved).

1 52C42. Scope of subchapter.

2 52C43. Lifetime Recovery from Substance Abuse USE Grant <--
3 Program.

4 52C44. Application and review.

5 52C45. Costs.

6 52C46. Funding.

7 52C47. Performance evaluation.

8 52C48. Report.

9 § 52C41. (Reserved).

10 § 52C42. Scope of subchapter.

11 This subchapter relates to grants to support lifetime
12 recovery from substance abuse USE and misuse. <--

13 § 52C43. Lifetime Recovery from Substance Abuse USE Grant <--
14 Program.

15 (a) Establishment.--The Lifetime Recovery from Substance
16 Abuse USE Grant Program is established within the department. <--

17 (b) Purpose of program.--The program shall provide grants to
18 assist in the development, expansion or improvement of recovery
19 support services delivery in this Commonwealth.

20 (c) Statewide and geographic balance.--The department shall
21 award a portion of the amount available under this subchapter to
22 applicants seeking grants on a Statewide basis and a portion of
23 the amount to each of the geographic areas of this Commonwealth
24 designated under section 52C44(a)(2) (relating to application
25 and review).

26 § 52C44. Application and review.

27 (a) Guidelines.--No later than 45 days after the effective
28 date of this section and no less than once per year AT THE <--
29 DISCRETION OF THE DEPARTMENT thereafter, the department shall
30 adopt guidelines, after consulting with a representative cross

1 section of this Commonwealth's recovery support providers,
2 including individuals in recovery from substance ~~abuse~~ USE or <--
3 family members of individuals in recovery from substance ~~abuse~~ <--
4 USE, for the administration of the grant program under this <--
5 subchapter, and shall make the guidelines available on the
6 department's publicly accessible Internet website. The
7 guidelines shall include the following:

8 (1) The dates of the first and last day during which the
9 department will accept applications.

10 (2) A division of this Commonwealth into nine geographic
11 areas. To the extent practicable, the geographic areas under
12 this paragraph shall be comparable to geographic areas
13 recognized by the department for similarly focused grants.

14 (3) The standards by which an application will be
15 scored. The following apply:

16 (i) The standards adopted under this paragraph shall
17 be designed to ensure that the grants awarded under this
18 subchapter are used in the most effective manner across
19 this Commonwealth.

20 (ii) The standards adopted under this paragraph
21 shall provide priority to applicants that meet any of the
22 following:

23 (A) Applicants that are independent, nonprofit
24 organizations led and governed by representatives of
25 local communities of individuals in recovery from
26 substance ~~abuse~~ USE. <--

27 (B) Applicants proposing to serve areas or
28 assist recovery support providers serving areas of
29 this Commonwealth with a high incidence of substance
30 ~~abuse~~ USE or that have demonstrated need for <--

1 (e) Awarding of grants.--After review of the applications
2 under subsection (d), the department shall award grants as
3 follows:

4 (1) For applicants seeking a grant under subsection (c)
5 (2)(i), the department shall award grants to applicants whose
6 applications received the highest scores among applicants
7 seeking a grant on a Statewide basis.

8 (2) For applicants seeking a grant under subsection (c)
9 (2)(ii), the department shall award grants to applicants
10 whose applications received the highest scores among
11 applicants seeking a grant within each geographic area.

12 (f) Denial of applicant information.--An applicant that is
13 not awarded a grant under subsection (e) shall be provided with
14 information documenting the overall score the applicant
15 received, the score received for each of the standards under
16 subsection (a)(3) and the overall scores of all applicants in
17 the denied applicant's category under subsection (c)(2).

18 § 52C45. Costs.

19 (a) Allowable costs.--An amount awarded as a grant under
20 this subchapter may be used for the following costs:

21 (1) Costs associated with providing recovery support
22 services to residents of this Commonwealth.

23 (2) Costs associated with assisting recovery support
24 providers with developing, expanding or improving recovery
25 support services, including providing training and
26 development of the tools and facilities necessary to provide
27 recovery support services.

28 (3) Costs incurred by the recipient under section 52C47
29 (relating to performance evaluation).

30 (b) (Reserved).

1 § 52C46. Funding.

2 (a) Appropriation.--The General Assembly may appropriate
3 money to the department for the program.

4 (b) Funding from Opioid Settlement Restricted Account.--

5 (1) Money appropriated to the department from the Opioid
6 Settlement Restricted Account for costs associated with
7 opioid remediation may be used to make grants under this
8 subchapter.

9 (2) The department shall ensure that amounts under
10 paragraph (1) used for the program comply with restrictions
11 on the use of the money in the Opioid Settlement Restricted
12 Account.

13 (C) FUNDING FROM STATE OPIOID RESPONSE ADMINISTRATION
14 APPROPRIATION.--FEDERAL MONEY APPROPRIATED BY THE GENERAL
15 ASSEMBLY FOR STATE OPIOID RESPONSE ADMINISTRATION MAY BE USED
16 FOR THE PURPOSES OF THIS SUBCHAPTER.

<--

17 § 52C47. Performance evaluation.

18 (a) Survey.--No less frequently than once per year, a
19 recipient shall perform a survey of individuals who received
20 recovery support services from the recipient during the time
21 period in which a recipient received a grant under this
22 subchapter.

23 (b) Contents of survey.--Results of the survey may not
24 contain any personally identifiable information.

25 (c) Voluntary participation.--Participation in the survey
26 under this section by an individual who received recovery
27 support services shall be voluntary.

28 (d) Submission to department.--A recipient shall provide
29 information received under subsection (a) to the department in
30 the manner and form as requested by the department.

1 § 52C48. Report.

2 (a) Annual report.--No later than March 31, 2024, and each
3 March 31 of each year thereafter, the department shall publish
4 an annual report that includes the following:

5 (1) The name and address of each recipient.

6 (2) The amount awarded to each recipient for each fiscal
7 year.

8 (3) The number of individuals who received recovery
9 support services from each recipient under paragraph (2) in
10 each fiscal year in which the recipient received a grant
11 under this subchapter.

12 (4) A review of results of the surveys conducted under
13 section 52C47 (relating to performance evaluation), including
14 the percentage of individuals receiving services from the
15 recipient who remain in long-term recovery after six months,
16 one year, two years, five years and more than 10 years.

17 (b) Prohibited content.--The report under this section may
18 not contain any personally identifiable information of an
19 individual who received recovery support from a recipient.

20 (c) Report recipients.--The report under this section shall
21 be issued to the following:

22 (1) The chairperson and minority chairperson of the
23 Appropriations Committee of the Senate.

24 (2) The chairperson and minority chairperson of the
25 Health and Human Services Committee of the Senate.

26 (3) The chairperson and minority chairperson of the
27 Appropriations Committee of the House of Representatives.

28 (4) The chairperson and minority chairperson of the
29 Human Services Committee of the House of Representatives.

30 (5) The chairperson and minority chairperson of the

1 Health Committee of the House of Representatives.

2 (d) Public availability.--The report shall be made available
3 to the public on the department's publicly accessible Internet
4 website.

5 Section 2. This act shall take effect immediately.